

CHARTER SCHOOL CONTRACT AGREEMENT
ESTABLISHING
THE CHAIN EXPLORATION CENTER
BY
THE BOARD OF EDUCATION OF THE SCHOOL DISTRICT OF WAUPACA
AND THE GOVERNANCE COUNCIL OF THE CHAIN EXPLORATION CENTER
DATE: 7/01/2018

1 - DOCUMENT PURPOSE

1.1 - Whereas, the State of Wisconsin has created a Charter School Program under the provisions of s.118.40¹, Wisconsin Statutes [*see Appendix 1 - State Statutes and Federal Laws*]; and

1.2 - Whereas, the Board of Education of the School District of Waupaca ("SDW") is authorized pursuant to Wisconsin Statute s. 118.40(2m)(a)² to initiate or enter into a contract with an individual or group to operate a school as a charter school; and

1.3 - Whereas, the Board of Education of the is seeking to establish the Chain Exploration Center ("CEC") to operate as a charter school pursuant to Wisconsin Statute s. 118.40(1m)(b)¹³; and

1.4 -Whereas, the SDW is giving the CEC Governance Council ("CECGC") the autonomy to establish an official, Ms. Rhonda Hare, to serve as the CEC's administrator to implement the provision s. 118.40(1m)(b)²⁴, Wisconsin Statutes, and to carry out the SDW's oversight responsibilities under the statute;

1.5 - Now, therefore, the parties agree as follows:

Under the authority of s.118.40¹, Wisconsin Statutes, the SDW, with the approval of the Board of Education, hereby grants to the CEC Governance Council a charter to operate the CEC under the terms and conditions of this Contract.

2 - GENERAL INFORMATION

With regard to the requirements for Charter Schools set forth in s. 118.40(1m)(b)1-15⁵, Wisconsin Statutes, the CEC's Governance Council hereby agrees to operate the CEC with all of the following specifications:

2.1 - Person Who Is Seeking to Establish the Charter School: The CECGC (CECGC President Ms. Megan Sanders), on behalf of the SDW Board of Education seeks to establish the CEC within the SDW.

2.2 - Administrative Services: Daily management of the CEC will be the responsibility of the CEC administrator and staff, who shall work in a collaborative team. As the CEC is an instrumentality of the SDW, the SDW shall provide administrative services to the CECGC, and the CEC, in the same manner as other SDW schools, including, but not limited to, the following: purchasing, accounts payable, accounting services, recordkeeping, reporting and other compliance monitoring and fulfillment, building and grounds maintenance, and testing of students.

2.3 - Instrumentality: The CEC will be an instrumentality of the SDW.

2.4 - NACSA Principles and Standards: The SDW Board of Education shall consider the principles and standards for quality charter schools established by the National Association of Charter School Authorizers (NACSA), per Wisconsin Statute s. 118.40(3m)(b)⁶.

3 - CHARTER SCHOOL PROGRAM DESCRIPTION

3.1 - Educational Program: The CEC is so named in direct parallel with the SDW vision to develop our students' capabilities and confidence to achieve their dreams and make the world a better place. The CEC will provide choice for parents and students as to the means for students to achieve their dreams through projects that contribute to our world.

The name reflects the school campus, which sits on Silver Lake, one of the northernmost lakes in the Waupaca Chain O' Lakes. Half an acre of our 25.5-acre campus provides lake access and a dock for student projects. Twenty-five acres, zoned agricultural, was previously farmed, and is available to the CEC for gardens with an orchard, animal husbandry, prairie plantings, forestry, outdoor art projects, and community events. Exploration of this site shall be abetted by trails that lead to an outdoor classroom. *[See Appendix 2 - Aerial Views of CEC Campus.]*

The CEC's main building, constructed in 1954 and most recently renovated in 2000, has 48,300 square feet. In addition to classrooms, the building has a large performance stage, a gymnasium, a library, and art and music/practice rooms, and has broadband internet access.

The CEC will open as an elementary level charter school serving no more than 54 students of the SDW in multi-age classrooms with students from three elementary grades, providing an optimal student-to-advisor ratio of 18:1. In subsequent years, a student-teacher ratio of 18:1 shall be followed for the addition of two grade levels each year, with a goal of providing a K-8 project-based school by the 2021-2022 school year:

- a. 2018-19 - grades 3-5 - optimal student population: 54
- b. 2019-20 - grades 2-6 - optimal student population: 90
- c. 2020-21 - grades 1-7 - optimal student population: 126
- d. 2021-22 - grades K-8 - optimal student population: 162

Students focus on the promotion of success skills (*e.g.*, collaboration and teamwork, creativity and imagination, critical thinking, and problem solving) to find solutions to challenges that they meet. The coursework is integrated into a project-based learning model, utilizing community and global partners, as well as technological resources. Emphases for projects will draw from the fields of Agriculture; Environmental Education; the Fine Arts; and Science, Technology, Engineering, and Math (S.T.E.M.).

The mission of the CEC is to be a place where children explore their passions and gain a strong educational foundation through project-based learning in a collaborative community.

The following components serve as cornerstones to the vision and mission of the CEC, enabling students to grow in wisdom:

- a. Project-based approach focusing on student readiness and fully integrated coursework, including the following:
 - i. A structure that allows students to help design the media through which they learn best
 - ii. Meaningful and motivated learning by authentic application of ideas
 - iii. Increasing student responsibility for selection and completion of projects
 - iv. Individualized instruction and differentiation of coursework based on student learning styles, strengths, interests, and readiness, while addressing areas of need
- b. Student proficiency in meeting the State Standards as adopted by Wisconsin
- c. Multi-age classrooms focusing on leadership development, problem solving, communication, interpersonal skills, and peer collaboration
- d. Development of creative and innovative critical thinking skills
- e. Local and global partnerships including businesses, nonprofits, community members, and more as defined by the student-selected projects
- f. Awareness, appreciation, and stewardship of our natural environment
- g. Utilizing a host of science, technology, engineering, mathematic (S.T.E.M.) skills

3.2 - Methods Used to Enable Pupils to Attain Educational Goals: The CEC is centered on the idea that students must apply their knowledge in a way that benefits the global and local communities. A multi-age setting allows students to collaborate with peers of different ages and abilities, thus establishing an authentic societal setting in the classroom. Given the age of these students, special attention will be paid to core educational concepts, academic advisor guidance for projects, and the application of individualized learning strategies. As students meet benchmarks and demonstrate proficiency in the State Standards, there will be a gradual release of responsibility to the students for the selection, completion, and application of projects. However, students will still receive support and guidance throughout the process from the academic advisors. Students will develop an ability to manage tasks within a predetermined timeframe as they carry out projects.

Academic advisors will serve multiple roles within the project-based multi-age setting. Students new to the CEC may require more individualized core instruction than those further along in the program. Thus, advisors will provide guided instruction of reading and math skills to students. As students progress, the advisors' roles will shift to include facilitation of projects, mentoring, and the scaffolding of students as they learn to find and use appropriate resources for the completion of their projects. A key role of the advisors will also include helping students to understand the ways in which they learn and communicate best, thereby preparing them for future success. In each phase of learning, the advisors will guide students in the selection of rigorous projects, establish a high level of expectations, and finally, ensure proficiency in the State Standards.

The CEC will foster a learning environment that pulls together community, technology, and interpersonal relationships to build student understanding. Through a focus on exploration, student choice, authentic application of learning, and individualized instruction (key components of project-based learning), students will develop success skills that will carry them boldly into the future.

3.3 - Methods of Measuring Student Progress and Goals for Progress: The SDW is committed to excellence in education. In keeping with SDW expectations for student achievement in academics, citizenship, and responsibility; and as required by chapters 118⁷ and 121⁸, Wisconsin Statutes, the CEC shall, on behalf of the SDW, administer the examinations under ss. 118.30(1m)⁹ and 121.02(1)(r)¹⁰ to pupils enrolled in the CEC, and shall cause the testing data for the CEC to be transmitted to the SDW in such form as the District shall customarily transmit such data.

With respect to examinations required under ss. 118.30(1m)⁹ and 121.02(1)(r)¹⁰, Wisconsin Statutes, the Parties hereby agree that, the CECGC may develop or adopt any of its own examinations (in addition to the State of Wisconsin's examinations for

administration to the SDW's students and the CEC's students). Assessment shall include, but not be limited to, the following:

Assessment #1: The CEC shall implement the examinations required under ss. 118.30(1m)⁹ and 121.02(1)(r)¹⁰, Wisconsin Statutes; and the fall, mid-year, and spring SDW standardized test each school year.

Goal: CEC students' combined average will be at or above the district average on these assessments administered to same-age peers.

Assessment #2: The CEC shall implement a collaborative project-based learning model with project choices.

Goals:

- 1) Students will participate in integrated coursework. Literacy and math standards will also be taught and learned sequentially.
- 2) All students will complete and present individual and collaborative projects.
- 3) Students will develop skills on self-evaluation of goal progress and project assessments.

Assessment #3: The CEC shall implement Personalized Learning Plans ("PLP").

Goals:

- 1) Each student will demonstrate the ability to use a PLP developed by the student, an advisor, and, to the extent possible, the student's parent(s)/guardian(s).
- 2) Advisors and students will demonstrate the ability to use the PLPs to guide project development. Together they will measure progress toward attainment of the individual standards referenced in the PLP.

Assessment #4: The CEC shall implement service-learning projects with community partners.

Goal: All students will participate in multiple service-learning projects with community partners.

4 - GOVERNANCE STRUCTURE OF THE SCHOOL

4.1 - Legal Incorporation: The CECGC is a legally incorporated governing board independent of the SDW. *[See Appendix 3 - State of Wisconsin - DFI - Certificate of Corporate Authenticity.]*

4.2 - Governance Autonomy and Council Membership: The CEC shall be directed by the CECGC, an independent Governance Council. The CECGC shall adopt bylaws. The CECGC will consist of no fewer than five (5) nor more than thirteen (13) members, with each member serving a minimum of a three-year (3) term as non-paid volunteers. The CECGC may be comprised of parents/guardians, and business/community members. Every effort

shall be made to have a CECGC comprised of members with diverse backgrounds, experience, and abilities.

The CECGC will determine and oversee the mission and strategic plan of the CEC, coordinate public relations and fundraising efforts, establish policies, oversee and approve the budget, and interpret laws and major policies. The CECGC shall have autonomy and decision-making authority over the following:

- a. Expenditures of allocated budgets, grant funds, and funds donated specifically to the CEC
- b. Curriculum and instruction
- c. Policies and procedures specifically unique to the daily operations of the school that are not addressed in existing CEC policies
- d. Marketing, registration, and enrollment
- e. Charter School operations and procedures
- f. All powers granted by Wisconsin Statute s. 118.40(4)(d)¹¹ (*see list of powers in 8.1 below*).

4.3 - Student Involvement: Student involvement is an essential element to building a student-centered, student-led, student-focused community. The voices of the student body will be encouraged and welcomed at CECGC meetings. Student representative(s) will share needs, requests, and celebrations to encourage community building, to increase student accountability, and to empower the students to take ownership of their learning environment. Eligibility for the position extends to all students.

4.4 - Parent and Community Involvement: Parent/guardian and community involvement is an integral part of the CEC. Many projects incorporate input and support from parents, guardians, grandparents, relatives, friends, and neighbors of the student's family. Since the highest form of parent/guardian involvement is engaging with the academic life of their children, involving parents/guardians as co-scholars helps to close the gap that can exist between home and school. Parents/guardians may assist in the development of a PLP for their child, and shall be actively involved in their child's education. Additionally, parents/guardians may be involved in the CEC by serving as a member on the CECGC or on CECGC committees.

The CEC will provide numerous opportunities for meaningful parent/guardian-community involvement. The CEC's community service requirement, the use of community members as primary sources in research, the opportunity to develop mentor relationships, and the requirement of project presentations all serve to encourage students and parents/guardians to become concerned and contributing members of their communities at local, state, national, and global levels.

Parents/guardians will receive reports on their student's progress at the CEC.

Parent/guardian-advisor conferences will be held each school year in the fall and spring.

Additional parent/guardian-advisor conferences, electronic mail, print correspondence, and telephone contacts may be used on an individual basis to communicate student progress when the parents/guardians or advisors feel it is appropriate. Additionally, parents/guardians will have continual access to their child's progress through the PLPs.

4.5 - Hiring Decisions and Performance Evaluations: The Human Resources Department of the SDW will verify an applicant's credentials and background prior to hiring. All CEC school staff members will be employees of the SDW, will follow all employee practices and policies of the SDW, and will be subject to the appropriate contractual agreements. All hiring and staffing decisions shall be made in accordance with 5.1 and 5.2 below.

5. EMPLOYMENT OF QUALIFIED INDIVIDUALS

5.1 - Advisors: Teachers at the CEC will be called "advisors." Individuals who are hired to teach at the CEC will be teachers who are appropriately licensed under Wisconsin law. SDW teachers shall not have any rights to teaching positions at the CEC. Vacant advisor positions will be posted to indicate that candidates should demonstrate an interest and commitment to the students, as well as to the mission and vision of the CEC. Qualified individuals who serve as advisors should also have the ability to uphold the mission of the CEC. All SDW policies and procedures for posting of full-time teaching staff will be followed.

All hiring and staffing decisions shall be made by the SDW Board of Education in accordance with the decision of the CECGC. A CEC hiring committee shall be comprised of one or more CECGC members, the CEC Lead Advisor, and the CEC Administrator, who shall be charged with interviewing potential candidates. After the completion of interviews, the CEC Administrator will then select and recommend a candidate whose name will be submitted to the CECGC for approval. Once CECGC approval is received, the name of the approved candidate shall be brought forward to the SDW Board of Education for hiring.

5.2 - Administrator:

The same hiring process contained in Section 5.1 above shall apply to administrator positions in the CEC, except that the hiring committee shall be comprised of CECGC members and the Lead Advisor. The outgoing Administrator of the CEC, if any, may also be included as a member of the hiring committee at the request of the CECGC. Such hiring committee shall submit the name of the candidate who meets the CEC and SDW standards to the CECGC so that the CECGC can make and report their decision to the SDW Board of Education for hiring.

5.3 - Evaluations:

- 1) All CEC staff shall be evaluated for job performance as required by the SDW. The CEC Administrator shall conduct such evaluations, with CECGC providing any

necessary oversight to ensure that the evaluation process is carried out in accordance with the SDW's requirements. The SDW shall provide the CECGC with assurances to that effect. Evaluations under this Section 5.3 shall remain confidential unless required to be brought forward to the CECGC and/or the SDW Board of Education to resolve employment issues or unless disclosure of such evaluations is otherwise required by applicable state or federal law. However, in order to ensure that evaluations have been conducted, the CECGC will receive copies of Acknowledgement of Receipt of Evaluation Results signed by advisor and CEC Administrator.

- 2) The CECGC shall annually review the progress of the CEC with the CEC Administrator.
- 3) The CEC Administrator shall be evaluated annually by the CECGC in accordance with the evaluation procedures utilized for all other SDW administrators. The CECGC shall present any consequent decisions to the SDW Board of Education.

6. STUDENT HEALTH AND SAFETY

All state and local health and safety regulations and building code standards will be followed at all SDW locations at which the CEC may be located. In addition, the health and safety policies applicable to all other non-Charter Schools in the SDW shall equally apply to the CEC.

7. STUDENT RECRUITMENT AND MEANS OF ACHIEVING RACE/ETHNIC BALANCE

7.1 - Nondiscrimination: The CEC will abide by all federal and state nondiscrimination standards. The SDW's official non-discrimination policy will be applied in all CEC operations. The right of the student to be admitted to school and to participate fully in curricular, career and technical education, co-curricular, student services, recreational, or other programs or activities shall not be abridged or impaired because of a student's sex, race, religion, color, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, physical, mental, emotional or learning disability/handicap *[SDW policy 411-Equal Educational Opportunities - see Appendix 4]*.

7.2 - Equal Access: Access to the CEC shall not be restricted or enhanced by any of the following: family income, academic performance, or English language proficiency. Equal access will be provided to all students. *[See Section 7.3 - Admission Requirements/Lottery Process.]*

The CECGC will monitor the demographic makeup of the student population. If specific groups are underrepresented, outreach efforts will be further customized to raise awareness of the school and to generate interest in the school. Some examples of this may include holding informational meetings in special locations, providing additional translation or interpretation services, and expanding services to accommodate people with disabilities. The SDW will inform all stakeholders about the CEC and its focus.

7.3 - Admission Requirements/Lottery Process: The CEC is open to all students of the SDW, as well as to students applying through the Wisconsin Open Enrollment process. Application to and attendance at the CEC is voluntary, and no tuition shall be charged. SDW students who do not wish to attend or are not admitted to the CEC may attend another SDW school.

Parents/guardians shall apply for enrollment for their child(ren) by a written or online registration form. A parent/guardian is encouraged to attend at least one informational meeting or otherwise visit the CEC in order to ensure an understanding of the nature and work of the CEC.

The enrollment period for the CEC shall occur during the Open Enrollment period for the SDW. For the inaugural year of operation, the first enrollment period (limited to residents of the SDW) will open on February 1 and will close at 5:00 p.m. on March 15. The second enrollment period (open to all new local applicants and open enrollees) will commence on March 16 and will close at 5:00 p.m. on April 30.

In the first year, the enrollment maximum will be 54 students. In subsequent years, a student-teacher ratio of 18:1 shall be followed for the addition of two grade levels each year, with a goal of providing a K-8 project-based school by the 2021-2022 school year. Numbers of students will be distributed evenly throughout the grade levels to the extent possible. If a grade level is undersubscribed, students will be added, starting at the highest grade level.

If the number of applications exceeds the seats available at any grade level, then, per Wisconsin Statute s. 118.40(3)(g)¹² and s. 5210(1)(h)¹³ of the Elementary and Secondary Education Act (ESEA) as amended by the No Child Left Behind Act of 2001, priority will first be given to continuing students; then to siblings of enrolled students, and to the children of founding and current CECGC members and of CEC employees (provided that such children of CECGC members and CEC employees constitute no more than Ten Percent (10%) of CEC's total enrollment). Next, if seats are still available, a lottery shall be conducted by representatives of the CEC and SDW for each grade level that is oversubscribed. The lottery shall be a part of the school record and shall be a random selection of students at each grade level that is oversubscribed to ensure an even distribution throughout the grade levels, to the extent possible. This number may be increased or decreased as determined by the CECGC in consultation with the SDW administration and the SDW Board of Education. Those

students not accepted via the lottery will be placed on a priority waiting list in the order they were drawn. Students will then be contacted in the order established by the lottery, or if no lottery is necessary, in the order applications are received, if and when there are openings.

Parents/guardians of students selected through the lottery will have thirty (30) days to sign and return a letter of commitment confirming that the pupil will attend the CEC. If the letter is not returned within thirty (30) days, the enrollment space for such student shall be offered to the next student on the waiting list created through the lottery process. Each year the waiting list will expire on January 1, and a new waiting list will be created in accordance with the process provided above.

If the applications received during the enrollment window do not exceed the established enrollment cap, then all students who have submitted applications by the deadline shall be accepted for admission, and no lottery shall be held. Additional students shall be accepted on a first-come, first-served basis with the date of receipt of application being the establishment of priority, up until the first day of the school year. Students who move into the district or have previously attended a project-based school will have an opportunity to apply for enrollment any time during the school year if space is available.

8 - LEVEL OF AUTONOMY [Every Student Succeeds Act ("ESEA") §4303(f)(2)(A)¹⁴]

8.1 Governance Council Powers: Per Wisconsin Statute s. 118.40(4)(d)¹¹, the CECGC shall have all the powers necessary to carry out the terms of the contract, including:

- a. Receiving and disbursing funds for school purposes;
- b. Securing appropriate insurance;
- c. Entering into contracts, including contracts with institutions of higher education for technical or financial assistance, academic support, curriculum review, or other services;
- d. Pledging, assigning, or encumbering its assets to be used as collateral for loans or extensions of credit;
- e. Soliciting and accepting gifts or grants for school purposes;
- f. Acquiring real property for its use;
- g. Suing or be sued in its own name.

8.2 - Equal Funding: The SDW support for the CEC shall be the same support given to other SDW schools. As the CEC is an instrumentality, the SDW shall be responsible for salaries and benefits of CEC staff, including professional development of CEC staff in the same manner allocated to all SDW employees. In addition, the CEC shall receive funding based on the per-pupil formula applied to all schools in the SDW. The SDW shall cover all prior-approved district or private contract services. [ESSA §4303(f)(1)(A)(iii)¹⁵]

8.3 – Budget Development: The CECGC shall oversee, modify, and approve the CEC budget, including fundraising. The SDW shall annually, in accordance with the SDW's budget development timeline, present to the CECGC a five-year (5) projected budget indicating the dollars that will flow directly from the SDW in support of CEC operations (e.g., staff wages and benefits, facilities) and dollars available for the CECGC's discretionary use.

8.4 - Personnel: Every teacher, supervisor, administrator, or professional staff member shall hold a certificate, permit, or license issued by the Wisconsin Department of Public Instruction before entering duties for such a position. Staffing levels shall be allocated to the CEC by SDW based on current CEC class ratios. The CECGC will determine the areas of expertise and professional development that will support and uphold the vision and mission of the school.

8.5 - Administration: As the CEC is an instrumentality of the SDW, the SDW shall provide administrative services to the CECGC, and the CEC in the same manner as other SDW schools, including, but not limited to, the following: accounting, human resources, enrollment, pupil services, recordkeeping, and State testing of students. The CEC Administrator shall coordinate the program and handle all other administrative duties.

8.6 - Curriculum: The advisors and Administrator of the CEC shall develop curriculum in accordance with the CEC's mission. A quality curriculum at the CEC shall be sustained through equivalent district curriculum and technology funds. Other expenses incurred through the curriculum development process shall be offset by fundraising efforts on the part of the CEC students, advisors, families, community members, and CECGC members.

8.7 - Liability Insurance: As the CEC is an instrumentality of the SDW, the SDW shall provide insurance for all operations and personnel involved in the operations and governance of the CEC. *[See Appendix 5 - Waupaca School District Insurance Summary for complete list of insurance coverages and limits.]* The establishment of the CEC will have no effect on the liability of the SDW.

8.8 - Co-curricular Activities: All CEC students may participate on athletic teams and may be active members of other clubs and organizations of the SDW. Such activities shall be offered by current SDW allocations and other funding sources.

8.9 - Food Services: Food service at the CEC shall be provided through the SDW's food service program assigned to the CEC's facility.

8.10 - Transportation: Students attending the CEC shall be provided transportation to and from school and for field trips as provided under SDW policy. Due to the nature of project-based learning at the CEC, the number of CEC field trips is expected to be substantially greater than other schools within the SDW. The CEC or student(s) shall provide funding for field trips over and above the number/miles allotted to all other SDW schools.

8.11 - Pupil Services: Pupil services shall be provided through SDW staff assigned to the CEC's facility in order to ensure appropriate access, education, support services, and outcomes for students with disabilities.

8.12 - Custodial Services: Custodial and maintenance services shall be provided by the SDW at the CEC's facility.

8.13 - Testing and Assessment: State and Federal testing and assessment administered by the SDW shall be the same for the CEC students as for students at other SDW schools.

8.14 - Health and Safety: The CEC shall rely upon SDW nursing staff and other trained SDW staff to provide necessary resources to ensure the health and safety of CEC students. The CEC shall abide by all local, state, and federal laws regarding health and safety standards.

8.15 - Facility: The CEC shall be housed in a facility owned by the SDW; however, distinct signage and an open, separate learning space will be required to support the CEC's autonomy and mission.

8.16 - Volunteers: Community volunteers are an integral part of the CEC's school community and will be necessary to carry out the mission of the CEC. Volunteers are encouraged. Volunteers shall be subject to criminal background checks, as required by SDW policy.

8.17 - School Calendar: The CECGC shall annually adopt a school calendar for the next school year. Such CEC school calendar shall be provided to the SDW each year prior to July 1.

9 - CRITERIA

9.1 - Student Discipline: As an instrumentality of the SDW, the CEC shall follow SDW policies and set forth its own daily procedures and expectations consistent with those contained in SDW policies. The CEC shall observe all state and federal laws regarding student rights and discipline. *[See Appendix 6 for SDW policies related to student discipline.]*

9.2 - Public School Alternatives: Students who are residents of the SDW and are not admitted to, or do not wish to attend, the CEC may attend other SDW schools.

9.3 - Voluntary Program and Attendance: Enrollment in the CEC is entirely voluntary. Students shall not be assigned to the CEC.

9.4 - Tuition: The CEC is a public school and shall not charge tuition.

9.5 - School Closure: In the event that this contract is terminated and the CEC is closed, the SDW will ensure that CEC students may attend other SDW schools.

10 - FINANCIAL/OPERATIONAL CRITERIA

10.1 - Annual Audits [ESSA§4303(f)(1)(C)¹⁶]: The CEC shall be an instrumentality of the SDW. The SDW's usual and annual audit will include the CEC. The scope of the annual audit shall be determined by the SDW and conducted at the expense of the SDW. The CEC shall participate in all financial audits, and shall comply with all audit procedures and requirements of the SDW audit team as contracted by the SDW Board of Education.

In addition, the CECGC shall provide an annual report to the SDW's Board of Education by no later than the July Board Meeting. The annual report shall focus on the successes and challenges of the CEC. This programmatic audit shall include the CEC's progress on each of the assessments outlined in this Contract, and be used to determine additional goals for subsequent years, if applicable.

10.2 - Facilities: The CEC shall be located within the SDW at N3160 W. Silver Lake Drive, Waupaca, Wisconsin 54981. The SDW will ensure that the building(s) in which the CEC program is located meet(s) all building codes and other building requirements for a public school facility. The CEC's main building has 48,300 square feet, and is sited on 25.5 acres with woodlands and Silver Lake access. Twenty-five (25) acres of the site is zoned for agricultural use (Agricultural Woodland Transition / AWT) because it includes arable land. An additional 0.5 acres provides lake access on a residential lot, zoned residential. The SDW shall not charge the CEC rent or facility fees.

10.3 - Liability Insurance: As an instrumentality of the SDW, the SDW shall provide insurance for all operations and personnel involved in the operations and governance of the CEC, including, without limitation: commercial general liability, employer liability, automobile, umbrella, school leaders' error and omissions/educators' legal liability, fidelity bond/crime, workers' compensation, comprehensive coverage, fire and extended coverage and property damage for those acts reasonably related to the operation of the CEC. [See Appendix 5 - Waupaca School District Insurance Summary for complete list of insurance coverages and limits.] The establishment of the CEC will have no effect on the liability of the SDW.

10.4 - Curriculum Funding: The CEC shall receive the same amount of money annually, on a per pupil basis, for curriculum and technology purposes as other SDW schools.

10.5 - Allocation of Federal Funding: As an instrumentality of the SDW, the CEC shall receive Federal funds as distributed by allocation qualifications. [ESSA §4303(f)(1)(A)(iii)¹⁵]

10.6 - Nonsectarian Status: The CEC is nonsectarian in its practices, programs, admission policies, employment practices, and all other operations.

10.7 - Nondiscrimination: The CEC shall abide by all federal and state nondiscrimination standards. The SDW's official non-discrimination policy shall be applied in all operations.

Accordingly, the CEC will not illegally discriminate on the basis of age, race, religion, sex, sexual orientation, disability, citizenship, marital status, pregnancy, national origin, creed, color, political or religious affiliation, ancestry, arrest or conviction record, military service, use or nonuse of a lawful product off school premises during nonworking hours, declining to attend a meeting or to participate in any communication about religious matters or political matters, the authorized use of family or medical leave or worker's compensation benefits, genetic information, or any other reason prohibited by applicable law [SDW policy 511-Equal Employment Opportunities and Nondiscrimination -- see Appendix 7].

11 - WAIVERS

11.1 - Requests for State Waivers:

The CEC is not requesting any State waivers. Section 118.40(7)(b)¹⁷, Wisconsin Statutes provides that, "except as otherwise explicitly provided, chs. 115 to 121 do not apply to charter schools." [See Appendix 8 for Wisconsin Legislative Fiscal Bureau summary related to statutes within this range that do apply to charter schools.] This includes exemption from the Wisconsin Statutes that are listed below in order to emphasize their importance to the operations of the CEC in fulfilling its mission:

- a) Exemption from the statutes identified in items (i) through (iv) allows for flexible scheduling for student projects that may occur on non-school days, and for staff attendance at professional meetings and conferences.
 - i) Commencement of School Term [s. 118.045]¹⁸
 - ii) School Board Powers (school calendar, school hours, schools closed) [ss. 119.18 (6) (7) (8)]¹⁹
 - iii) School Board Duties [s. 120.12 (15)]²⁰
 - iv) School District standards: Number of Instructional hours [ss. 121.02(1) (f) and (L)]²¹
- b) The CEC is also exempt from s. 118.35(3)²², Wisconsin Statutes, Gifted and Talented program access. Separate Gifted and Talented services shall not be provided, as the curriculum is personalized to student interest and level.

11.2 - Request for Federal Exemptions: No waivers from Federal statutory or regulatory provisions are sought.

11.3 - Requests for SDW Board Policy Waivers [ESSA §4303(f)(3)(B)²³]:

All SDW policies shall apply to the CEC except for those specifically designated for exemption. Waivers for exemption from SDW policies are as follows:

- a) 322 - School day start and end time. The CEC may choose to offer flexible scheduling to enable student project work.

- b) 330 - Curriculum Development. The CEC may develop curriculum consistent with the mission of the school.
- c) 343.6 - Part time participation by private school or homeschool students. The mission of the CEC and the integrated nature of subjects within projects requires full time attendance on the part of the student.
- d) 345.7 and 345.8 - Promotion policies. The CEC is considered a separate school and shall be exempt from the elementary and middle school promotion policies due to mixed age grouping and students working at individual levels on project work.
- e) 352 - Field Trips. The CEC shall not seek SDW Board approval for field trips as they are an integral part of project work.
- f) 357 - GT program access. The CEC shall not provide access to a separate Gifted and Talented program because project-based work is individualized to student level.
- g) 361 - Selection of resource materials. The selection of instructional materials for use in the CEC will be delegated to CEC staff in accordance with the mission of the school.
- h) 362 - Selection of textbooks. Same as Section 11.3(g) above.
- i) 367.2 r1 - Equipment Release Form. The CEC shall only use the SDW form for devices purchased and maintained by SDW. Devices purchased and maintained by the CEC shall be exempt from this form.
- j) 374 - Fundraising. Fundraising shall be necessary to fund project work within the CEC. Fundraising for items needed over and above those things that the SDW provides for all their schools shall be conducted under the authority of the CECGC.
- k) 375 - Student Activity Funds. The CEC Administrator shall supervise student activity funds. Fundraising for activities shall be approved by the CECGC.
- l) 420 - School Admissions. Enrollment in the CEC is voluntary, and determined by lottery if numbers dictate. The CEC Administrator shall assign students to multi-age groups or "classes."
- m) 443.6 - Student use of wireless devices. Students at the CEC shall use technology in many ways and at any time to facilitate project work. Advisors shall teach proper use of such technology.
- n) 471 - Book Fees. The CEC shall not charge a book rental fee, but may establish student fees for specific project work, to be approved by the CECGC.
- o) 537 and 537.2 - Professional Development. With the exception of district-wide speakers and functions at beginning/end of year, the CEC staff shall need the flexibility to attend professional development that meets the needs of the school.
- p) 840 - Gifts to the schools. The CECGC shall accept donations and gifts to the CEC.

12 - TERMS OF CONTRACT

12.1 - Length of Contract: The CEC's charter is granted for five (5) years, the maximum term permitted under Wisconsin law. This Contract is effective July 1, 2018, and terminates June 30, 2023.

12.2 - CECGC Annual Report [ESSA§4303(f)(1)(C)¹⁶]: The CECGC shall provide an annual report to the SDW's Board of Education by no later than the July Board meeting. The report shall describe the CEC's progress, problems, and outcomes with an emphasis on student progress and goals for progress (section 3.3). The report shall also include:

- a) CECGC Treasurer's report including budget vs. actual, fundraising and grant proposals, and budget plan (10.1)
- b) CEC facilities report
- c) CEC staffing
- d) CEC enrollment, including student population, and student diversity
- e) CECGC Annual Meeting report including CECGC demographics

12.3 - SDW Annual Report [ESSA§4303(f)(1)(C)¹⁶]: The SDW shall provide an annual written report to the CEC by no later than the August Board Meeting, summarizing its performance and compliance to date, and identifying areas of strength and areas needing improvement.

12.4 - Contract Renewal: At the end of a period of five (5) years set forth hereunder, the SDW Board of Education and the CEC have the option to renew this Contract for an additional five (5) year term, based upon Board of Education evaluation of the CEC according to the assessment criteria outlined in this Contract.

12.5 - Withdrawal, Termination, or Revocation of this Contract: The powers to withdraw, terminate, or revoke the charter lie mutually between the SDW Board of Education and the CECGC. As such, the following events shall allow either Party to withdraw from, terminate, or revoke this Contract:

- a) Violation of this Contract as follows:
 - i) Breach of the Contract and failure to cure such breach within thirty (30) days following receipt of written notification of such breach by either Party.
- b) Violation of the Wisconsin State Charter School statutes.
- c) Failure to make sufficient progress toward attainment of educational goals as follows:
 - i) If students fail to make sufficient progress toward attaining educational goals, an extension of time to attain such goals, requested by the CECGC, shall be followed by a written plan acceptable to the SDW's Board of Education. This plan shall set out the additional steps necessary to attain such

educational goals and a reasonable timeframe wherein such goals must be attained. [ESSA§4303(f)(1)(C)¹⁶]

- d) Mutual written agreement by both Parties to terminate the Contract for reasons other than those stated above.

12.6 - Amendments: Amendments to this Contract must be in writing and mutually agreed upon by both Parties.

13 - APPROVAL AND SIGNATURES

In witness whereof, the Parties have caused this Contract to be executed by their duly authorized representatives as of the date so indicated below:

This Contract to establish the CEC is hereby approved.



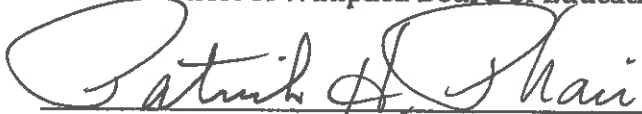
Chain Exploration Center Governance Council President

02/23/2018
Date



School District of Waupaca Board of Education President

02/23/2018
Date



School District of Waupaca Board of Education Clerk

2/23/2018
Date



School District of Waupaca District Administrator

2.23.2018
Date

APPENDIX 1

State Statutes and Federal Laws *[contract sections noted in red]*

- 1. CHAPTER 118 - GENERAL SCHOOL OPERATIONS - 118.40 GENERAL SCHOOL OPERATIONS** *[contract 1.1 & 1.5]*
- 2. CHAPTER 118 - GENERAL SCHOOL OPERATIONS - 118.40 - (2m) SCHOOL BOARD INITIATIVE. (a)** A school board may on its own initiative contract with a person to operate a school as a charter school. The contract shall include all of the provisions specified under sub. (1m) (b) and may include other provisions agreed to by the parties. *[contract 1.2]*
- 3. CHAPTER 118 - GENERAL SCHOOL OPERATIONS - 118.40 - (1m) PETITION. (b)** The petition shall include all of the following: **1.** The name of the person who is seeking to establish the charter school. *[contract 1.3]*
- 4. CHAPTER 118 - GENERAL SCHOOL OPERATIONS - 118.40 - (1m) PETITION. (b)** The petition shall include all of the following:
 - 2.** The name of the person who will be in charge of the charter school and the manner in which administrative services will be provided. *[contract 1.4]*
- 5. CHAPTER 118 - GENERAL SCHOOL OPERATIONS - 118.40 - (1m) PETITION.**
 - 1.** The name of the person who is seeking to establish the charter school.
 - 2.** The name of the person who will be in charge of the charter school and the manner in which administrative services will be provided.
 - 3.** A description of the educational program of the school.
 - 4.** The methods the school will use to enable pupils to attain the educational goals under s. 118.01.
 - 5.** The method by which pupil progress in attaining the educational goals under s. 118.01 will be measured.
 - 6.** The governance structure of the school, including the method to be followed by the school to ensure parental involvement.
 - 7.** Subject to sub. (7) (a) and (am) and ss. 118.19 (1) and 121.02 (1) (a) 2., the qualifications that must be met by the individuals to be employed in the school.
 - 8.** The procedures that the school will follow to ensure the health and safety of the pupils.
 - 9.** The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the school district population.
 - 10.** The requirements for admission to the school.
 - 11.** The manner in which annual audits of the financial and programmatic operations of the school will be performed.
 - 12.** The procedures for disciplining pupils.
 - 13.** The public school alternatives for pupils who reside in the school district and do not wish to attend or are not admitted to the charter school.
 - 14.** A description of the school facilities and the types and limits of the liability insurance that the school will carry.
 - 15.** The effect of the establishment of the charter school on the liability of the school district.
[contract 2]
- 6. CHAPTER 118 - GENERAL SCHOOL OPERATIONS - 118.40 - (3m) Authorizing entity duties.** A school board, an entity under sub. (2r) (b), and the director under sub. (2x) shall do all of the following:
 - (b)** When contracting for the establishment of a charter school under this section, consider the principles and standards for quality charter schools established by the National Association of Charter School Authorizers. *[contract 2.4]*

7. CHAPTER 118 - GENERAL SCHOOL OPERATIONS [contract 3.3]

8. CHAPTER 121 - SCHOOL FINANCE [contract 3.3]

9. CHAPTER 118 - GENERAL SCHOOL OPERATIONS - 118.30 Pupil assessment. (1) The state superintendent shall adopt or approve examinations designed to measure pupil attainment of knowledge and concepts in the 4th, 8th, 9th, 10th, and 11th grades. Beginning in the 2015–16 school year, the state superintendent may not adopt or approve assessments developed by the Smarter Balanced Assessment Consortium.

(1m) Except as otherwise provided in this section, annually each school board shall do all of the following:

(a) 1. Except as provided in subs. (6) and (7), administer the 4th grade examination adopted or approved by the state superintendent under sub. (1) to all pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district, in the 4th grade.

2. Except as provided in sub. (7), if the school board has developed or adopted its own 4th grade examination, administer that examination to all pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district, in the 4th grade.

(am) 1. Except as provided in subs. (6) and (7), administer the 8th grade examination adopted or approved by the state superintendent under sub. (1) to all pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district, in the 8th grade.

2. Except as provided in sub. (7), if the school board has developed or adopted its own 8th grade examination, administer that examination to all pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district, in the 8th grade.

(ar) Except as provided in sub. (7), beginning in the 2014–15 school year, administer the 9th grade examination adopted or approved by the state superintendent under sub. (1) to all pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district, in the spring session of 9th grade.

(b) Except as provided in sub. (7), administer the 10th grade examination to all pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district, in the spring session of the 10th grade.

(c) Except as provided in sub. (7), beginning in the 2014–15 school year, administer the 11th grade examination adopted or approved by the state superintendent under sub. (1) to all pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district, in the spring session of the 11th grade.

(d) If the school board maintains an Internet site for the school district, annually publish information on that Internet site about the examinations administered under this subsection to pupils in the school district.

[contract 3.3]

10. CHAPTER 121 - SCHOOL FINANCE - 121.02 School district standards. (1) Except as provided in s. 118.40 (2r) (d), each school board shall:

(r) Except as provided in s. 118.40 (2r) (d) 2., annually administer a standardized reading test developed by the department to all pupils enrolled in the school district in grade 3, including pupils enrolled in charter schools located in the school district, except that if a charter school is established under s. 118.40 (3) (c) 1. c., the school board specified in s. 118.40 (3) (c) 1. c. shall administer the test to pupils enrolled in the charter school regardless of the location of the charter school.

[contract 3.3]

11. CHAPTER 118 - GENERAL SCHOOL OPERATIONS - 118.40 - Charter Schools - (4) CHARTER SCHOOL GOVERNING BOARD; DUTIES, POWERS, AND RESTRICTIONS.

(d) Powers. Subject to the terms of its contract, a charter school governing board has all the powers necessary to carry out the terms of its contract, including all of the following:

1. To receive and disburse funds for school purposes.
2. To secure appropriate insurance.
3. To enter into contracts, including contracts with a University of Wisconsin institution or college campus, technical college district board, or private college or university, for technical or financial assistance, academic support, curriculum review, or other services.

4. To incur debt in reasonable anticipation of the receipt of funds.
5. To pledge, assign, or encumber its assets to be used as collateral for loans or extensions of credit.
6. To solicit and accept gifts or grants for school purposes.
7. To acquire real property for its use.
8. To sue and be sued in its own name.

[contract 4.2 & 8.1]

12. CHAPTER 118 - GENERAL SCHOOL OPERATIONS - 118.40 - Charter Schools - (3) CONTRACT

(g)

1. Except as provided in subds. 2, 3, and 4, and sub. (4) (ar) 1, a contract with a school board, an entity under sub. (2r) (b), or the director under sub. (2x) shall require that if the capacity of the charter school is insufficient to accept all pupils who apply, the charter school shall accept pupils at random.
2.
 - a. A charter school shall give preference in enrollment to pupils who were enrolled in the charter school in the previous school year.
 - b. A charter school other than the charter school established under a contract with the director under sub. (2x) (cm) shall give preference to siblings of pupils who are enrolled in the charter school.
3. A charter school may give preference in enrollment to the children of the charter school's founders, governing board members, and full-time employees, but the total number of such children given preference may constitute no more than 10 percent of the charter school's total enrollment.
4. A charter school established under a contract with a union high school district under sub. (2) or (2m) may give preference in enrollment to pupils who were enrolled during the previous school year in a charter school operating under a cooperative agreement with the charter school established under a contract with a union high school district.

[contract 7.3]

13. Elementary and Secondary Education Act (ESEA) as amended by the No Child Left Behind Act of 2001 - §5210 - DEFINITIONS

(1) CHARTER SCHOOL

(H) is a school to which parents choose to send their children, and that admits students on the basis of a lottery, if more students apply for admission than can be accommodated;

[contract 7.3]

14. ESSA §4303- Grants to Support High-Quality Charter Schools

(f) APPLICATIONS.—A State entity desiring to receive a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include the following:

(2) ASSURANCES.—Assurances that—

- (A) each charter school receiving funds through the State entity's program will have a high degree of autonomy over budget and operations, including autonomy over personnel decisions;

[contract 8]

15. ESSA §4303- Grants to Support High-Quality Charter Schools

(f) APPLICATIONS.—A State entity desiring to receive a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include the following:

(1) DESCRIPTION OF PROGRAM.—A description of the State entity's objectives in running a quality charter school program under this section and how the objectives of the program will be carried out, including—

(A) a description of how the State entity will—

- (iii) work with eligible applicants to ensure that the eligible applicants access all Federal funds that such applicants are eligible to receive, and help the charter schools supported by the applicants and the students attending those charter schools—

- (I) participate in the Federal programs in which the schools and students are eligible to participate;

- (II) receive the commensurate share of Federal funds the schools and students are eligible to receive under such programs; and
- (III) meet the needs of students served under such programs, including students with disabilities and English learners;

[contract 8.2 & 10.5]

16. ESSA §4303- Grants to Support High-Quality Charter Schools

(f) APPLICATIONS.—A State entity desiring to receive a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include the following:

(1) DESCRIPTION OF PROGRAM.—A description of the State entity's objectives in running a quality charter school program under this section and how the objectives of the program will be carried out, including—

(C) a description of how the State entity will award subgrants, on a competitive basis, including—

(i) a description of the application each eligible applicant desiring to receive a subgrant will be required to submit, which application shall include—

(I) a description of the roles and responsibilities of eligible applicants, partner organizations, and charter management organizations, including the administrative and contractual roles and responsibilities of such partners;

(II) a description of the quality controls agreed to between the eligible applicant and the authorized public chartering agency involved, such as a contract or performance agreement, how a school's performance in the State's accountability system and impact on student achievement (which may include student academic growth) will be one of the most important factors for renewal or revocation of the school's charter, and how the State entity and the authorized public chartering agency involved will reserve the right to revoke or not renew a school's charter based on financial, structural, or operational factors involving the management of the school;

(III) a description of how the autonomy and flexibility granted to a charter school is consistent with the definition of a charter school in section 4310;

(IV) a description of how the eligible applicant will solicit and consider input from parents and other members of the community on the implementation and operation of each charter school that will receive funds under the State entity's program;

(V) a description of the eligible applicant's planned activities and expenditures of subgrant funds to support the activities described in subsection (b)(1), and how the eligible applicant will maintain financial sustainability after the end of the subgrant period; and

(VI) a description of how the eligible applicant will support the use of effective parent, family, and community engagement strategies to operate each charter school that will receive funds under the State entity's program; and

(ii) a description of how the State entity will review applications from eligible applicants;

[contract 10.1, 12.2, 12.3, 12.5(c)]

17. CHAPTER 118 - GENERAL SCHOOL OPERATIONS - 118.40 Charter Schools - (7) Legal Status; Applicability of School Laws - (b) Except as otherwise explicitly provided, chs. 115 to 121 do not apply to charter schools. [contract 11.1]

18. CHAPTER 118 - GENERAL SCHOOL OPERATIONS - 118.045 Commencement of school term.

(1) Except as provided in subs. (2) and (3), beginning in the year 2000, no public school may commence the school term until September 1.

(2) Subsection (1) does not prohibit a school board from doing any of the following:

- (a) Holding athletic contests or practices before September 1.
- (b) Scheduling in-service days or work days before September 1.
- (c) Holding school year-round.

(3) A school board may commence the school term before September 1 in any school year if the school board requests the department to allow it to commence the school term before September 1 and the school board includes reasons with its request. The department may grant a request only if it determines that there are extraordinary reasons for granting it. The department shall promulgate rules to implement and administer this subsection.

History: 1999 a. 9; 2001 a. 16.

Cross-reference: See also ch. PI27, Wis. adm. code.

[contract 11.1(a)(i)]

19. CHAPTER 119 - First Class City School System - 119.18 Board; powers.

(6) **SCHOOL CALENDAR.** The board may determine the school calendar and vacation periods for each school year for the regular day schools, summer schools, social centers, and playgrounds. The board may close any school or dismiss any class in the event of an emergency, fire or other casualty, quarantine, or epidemic.

(7) **SCHOOL HOURS.** The board may establish rules scheduling the hours of each school day during which the schools shall be in session. The board may differentiate between the various grades in scheduling such school hours.

(8) **SCHOOLS CLOSED.** The board may determine on which national, state and local legal holidays and for which educational conventions the public schools shall be closed. There shall be no deductions from the annual or monthly compensation of employees not rendering services on such days.

[contract 11.1(a)(iii)]

20. CHAPTER 120 - SCHOOL DISTRICT GOVERNMENT - 120.12 School board duties. The school board of a common or union high school district shall:

(15) **SCHOOL HOURS.** Establish rules scheduling the hours of a normal school day. The school board may differentiate between the various elementary and high school grades in scheduling the school day.

[contract 11.1(a)(iii)]

21. CHAPTER 121 - SCHOOL FINANCE - 121.02 School district standards. (1) Except as provided in s. 118.40 (2r) (d), each school board shall:

(f) Annually, schedule at least 437 hours of direct pupil instruction in kindergarten, at least 1,050 hours of direct pupil instruction in grades 1 to 6 and at least 1,137 hours of direct pupil instruction in grades 7 to 12. Scheduled hours under this paragraph do not include hours of direct pupil instruction offered during an interim session. Scheduled hours under this paragraph may include hours on Saturdays. A school board operating a 4-year-old kindergarten program may use up to 87.5 of the scheduled hours for outreach activities.

(L)

1. In the elementary grades, provide regular instruction in reading, language arts, social studies, mathematics, science, health, physical education, art and music.
2. In grades 5 to 8, provide regular instruction in language arts, social studies, mathematics, science, health, physical education, art and music. The school board shall also provide pupils with an introduction to career exploration and planning.
3. In grades 9 to 12, provide access to an educational program that enables pupils each year to study English, social studies, mathematics, science, vocational education, foreign language, physical education, art and music. In this subdivision, "access" means an opportunity to study through school district course offerings, independent study, cooperative educational service agencies, or cooperative arrangements between school boards or between school boards and postsecondary educational institutions.
4. Beginning September 1, 1991, as part of the social studies curriculum, include instruction in the history, culture and tribal sovereignty of the federally recognized American Indian tribes and bands located in this state at least twice in the elementary grades and at least once in the high school grades.
5. Provide regular instruction in foreign language in grades 7 and 8 beginning in the 1996-97 school year.
6. In one of grades 5 to 8 and in one of grades 10 to 12, provide pupils with the instruction on shaken baby syndrome and impacted babies described in s. 253.15 (5).
7. Adopt academic standards for financial literacy and incorporate instruction in financial literacy into the curriculum in grades kindergarten to 12.

[contract 11.1(a)(iv)]

22. CHAPTER 118 - GENERAL SCHOOL OPERATIONS - 118.35 Programs for gifted and talented pupils. (1) In this section, "gifted and talented pupils" means pupils enrolled in public schools who give evidence of high performance capability in intellectual, creative, artistic, leadership or specific academic areas and who need services or activities not ordinarily provided in a regular school program in order to fully develop such capabilities.

(3) Each school board shall ensure that all gifted and talented pupils enrolled in the school district have access to a program for gifted and talented pupils.

[contract 11.1(b)]

23. ESSA §4303- Grants to Support High-Quality Charter Schools(f) APPLICATIONS.—A State entity desiring to receive a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include the following:

(3) REQUESTS FOR WAIVERS.—Information about waivers, including—

(B) a description of any State or local rules, generally applicable to public schools, that will be waived, or otherwise not apply to such schools.

[contract 11.3]

APPENDIX 2
Aerial Views of CEC Campus
Photo courtesy of Noah Lencki Design, Waupaca, WI



CEC campus and Silver Lake



CEC Campus from Silver Lake perspective

Appendix 2 - Aerial Views of CEC Campus - page 1 of 1

APPENDIX 3
State of Wisconsin - DFI - Certificate of Corporate Authenticity

United States of America
State of Wisconsin

DEPARTMENT OF FINANCIAL INSTITUTIONS

Division of Corporate & Consumer Services



To All to Whom These Presents Shall Come, Greeting:

I, Mary Ann McCoshen, Administrator of the Division of Corporate and Consumer Services, Department of Financial Institutions, do hereby certify that

CHAIN EXPLORATION CENTER INC.

is a domestic corporation or a domestic limited liability company organized under the laws of this state and that its date of incorporation or organization is February 07, 2018.

I further certify that said corporation or limited liability company has not yet completed its initial report year and, accordingly, has not yet filed an annual report under ss. 180.1622, 180.1921, 181.1622 or 183.0120 Wis. Stats., and that said corporation or limited liability company has not filed articles of dissolution.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department on February 20, 2018.

A handwritten signature in black ink, appearing to read "Mary Ann McCoshen".

MARY ANN MCCOSHEN, Administrator
Division of Corporate and Consumer Services
Department of Financial Institutions

DFI/Corp/33

To validate the authenticity of this certificate

Visit this web address: <http://www.wdfi.org/apps/ccs/verify/>

Enter this code: **215097-62FCB19E**

APPENDIX 4
SCHOOL DISTRICT OF WAUPACA

SERIES 400 STUDENTS

CODE: 411

EQUAL EDUCATIONAL OPPORTUNITIES

The School District of Waupaca ("District") is committed and dedicated to the task of providing the best education possible for every student in the District. The right of the student to be admitted to school and to participate fully in curricular, career and technical education, co-curricular, student services, recreational or other programs or activities shall not be abridged or impaired because of a student's sex, race, religion, color, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, physical, mental, emotional or learning disability/handicap.

Children of homeless individuals and unaccompanied homeless youth (youth not in the physical custody of a parent or guardian) residing in the District shall have equal access to the same free, appropriate public education, including comparable services, as provided to other children and youth who reside in the District. Homeless children and youth shall not be required to attend a separate school or program for homeless children and shall not be stigmatized by school personnel.

The District shall provide appropriate educational services and/or programs for students who have been identified as having a handicap or disability, regardless of the nature or severity of the handicap or disability, and regardless of whether the student qualifies for the District's special education programs. Facilities modifications necessary to provide for appropriate access and participation for persons with disabilities shall be made to the extent required by law.

The District shall also provide for the reasonable accommodation of a student's sincerely held religious beliefs with regard to examinations and other academic requirements. Requests for accommodations shall be made in writing and approved by the building principal. Accommodations may include, but not necessarily be limited to, exclusion from participation in an activity, alternative assignments, release time from school to participate in religious activities, and opportunities to make up work missed due to religious observances. Any accommodations granted under this policy shall be provided to students without prejudicial effect.

Complaints regarding the interpretation or application of this policy shall be referred to the Director of Student Services and processed in accordance with established procedures.

Notice of this policy and its accompanying complaint procedures shall be published at the beginning of each school year in the District's official newspaper and posted in each school building in the District. In addition, a student nondiscrimination statement shall be included in student and staff handbooks, course selection handbooks and other published materials distributed to the public describing school activities and opportunities.

ADOPTED:091295

REVISED: 091295, 111312, 061317

REVIEWED:

LEGAL REFERENCE:

Wisconsin Statutes

Section 118.13 [student nondiscrimination; policy/procedures required]

Section 118.134 [race-based nicknames, logos, mascots]

Wisconsin Administrative Code

PI 9 [student nondiscrimination; policy/procedure/notice required]

PI 41 [accommodating student religious beliefs; policy required]

Federal Laws

Title IX, Education Amendments of 1972	[sex discrimination]
Title VI, Civil Rights Act of 1964	[race, color and national original discrimination]
Section 504 of the Rehabilitation Act	[disability discrimination; reasonable accommodations]
Americans with Disabilities Act	[disability discrimination; reasonable accommodations]
Individuals with Disabilities Education Act	[programs and services for students with disabilities]
McKinney-Vento Homeless Assistance Act	[equal access for homeless students; required policies to remove barriers]

CONTRACT REFERENCE:

CROSS REFERENCE:

The School District of Waupaca does not discriminate on the basis of sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional or learning disability.

APPENDIX 5

School District of Waupaca Insurance Summary



Waupaca School District Insurance Summary



Coverage	Carrier	Policy #	Policy Period	Premium	Limits
Property	Chubb	36005742	07/01/17	\$73,043	\$177,280,451 Blanket Buile & Bus Per. Property \$1,791,295 Property In the Open \$300,000 Contractors Equipment \$5,000 Deductible \$3,000,798 Business Income & Extra Expense
General Liability	EMC	3D74432	07/01/17	\$9,569	\$4,000,000 General Aggregate \$4,000,000 Products Comp/Cps Aggregate \$2,000,000 Personal Advertising Injury Limit \$2,000,000 Each Occurrence \$300,000 Fire Damage Limit \$5,000 Medical Expense Limit
Employee Benefits Liability	LMC	3074432	07/01/17	Included	\$4,000,000 Aggregate Limit \$2,000,000 Each Employee Limit \$1,000 Deductible
Violent Events Response	EMC	3D74432	07/01/17	Included	\$250,000 General Aggregate \$250,000 Each Event \$25,000 Each Person
Contractors Legal Liability	EMC	3K74432	07/01/17	\$3,274	\$2,000,000 Each Loss \$2,000,000 Aggregate \$1,500 Deductible
Crime	EMC	3F74432	07/01/17	\$1,518	\$500,000 Employer Theft - \$5,000 Deductible \$100,000 Forgery or Alteration - \$1,000 Deductible Money & Securities \$30,000 Inside the Premises - \$500 Deductible \$30,000 Outside the Premises - \$500 Deductible \$500,000 Computer & Funds Transfer Fraud \$5,000 Deductible
Automobile Liability	EMC	3H74432	07/01/17	\$25,980	\$2,000,000 Bodily Injury and Property Damage \$10,000 Medical Payments \$300,000 Uninsured/Underinsured Motorist
Workers' Compensation	EMC	3H74432	07/01/17	\$160,072	\$100,000 Each Accident \$500,000 Policy Limit \$100,000 Each Employee
Umbrella	EMC	3I74432	07/01/17	\$10,573	\$10,000,000 Each Occurrence \$20,000,000 Annual Aggregate Self Insured Retention - \$0
Cyber Liability	TRV	10E345445	07/01/17	\$4,375	\$1,000,000 Network & Information Security \$10,000 Retention
Pollution Liability	Estimote	G46621425	07/01/17	\$7,305	\$1,000,000 Each Pollution Condition \$2,000,000 Policy Aggregate \$25,000 Deductible

APPENDIX 6

SCHOOL DISTRICT OF WAUPACA

SERIES 400 STUDENTS

CODE: 446

STUDENT DISCIPLINE

The Board of Education feels it is important in operating a school system to be concerned with the total operation involving varying needs, abilities and desires of all those concerned with the educational process. Individual rules cannot be established for each person involved in the educational process and it becomes necessary to establish rules and regulations for the operation of the schools within the District. Failure to abide by reasonably established policies, rules and regulations make it mandatory that the administration be authorized to remove non-complying students from the school premise or property after proper notification procedures, through a process known as suspension. In addition, the administration is authorized to recommend to the Board of Education, after proper notification, permanent removal of students from school through the process known as expulsion. The Board of Education charges the school administration with developing reasonable regulations and rules which are necessary for the orderly operation of the schools in the School District of Waupaca. The Board will annually approve rules contained in Student Handbooks.

ADOPTED:071376

REVISED:111296

REVIEWED:

LEGAL REFERENCE:

CONTRACT REFERENCE:

CROSS REFERENCE:

The School District of Waupaca does not discriminate on the basis of sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional or learning disability.

SCHOOL DISTRICT OF WAUPACA

SERIES 400 STUDENTS

CODE: 446.1

CORPORAL PUNISHMENT

The Board of Education believes that the use of physical force on students for disciplinary purposes is inappropriate and unnecessary. Changes in student behavior can be more positively influenced and more permanently affected through measures that do not include corporal punishment.

Corporal punishment, defined as the intentional infliction of physical pain which is used as a means of discipline, is therefore prohibited.

Schools officials, employees or agents of a school board are not, however, prohibited from using reasonable or necessary force under the following conditions:

- to quell a disturbance or prevent an act that threatens physical injury to any person;
- to obtain possession of a weapon or other dangerous object within a student's control;
- for the protection of property
- to remove a disruptive student from school premises or a motor vehicle or from school-sponsored activities;
- to prevent a student from inflicting harm on his/herself; or
- to protect the safety of others.

The District Administrator is instructed to review all instances of corporal punishment or physical force which become known to him/her and to report to the Board all such disciplinary action taken or recommended.

ADOPTED:110986

REVISED:071393

REVIEWED:

LEGAL REFERENCE:118.31

CONTRACT REFERENCE:

CROSS REFERENCE:

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SCHOOL DISTRICT OF WAUPACA

SERIES 400 STUDENTS

CODE: 446.2

STUDENT SUSPENSIONS/EXPULSIONS

Suspension

The District Administrator, building principal or associate principal may suspend a student from school for up to five (5) school days for the following reasons:

1. noncompliance with school or Board rules;
2. conduct which endangers the health, safety or property of others at school or under the supervision of a school authority;
3. knowingly conveying any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy any school property by means of explosives; or
4. conduct while not at school or while not under the supervision of a school authority which endangers the health, safety or property of any employee or Board Member of the District;

Or, if a notice of expulsion hearing has been sent, a student may be suspended for not more than a total of 15 consecutive school days.

All student suspensions shall be administered in accordance with state law and established District procedures.

Expulsion

The Board may expel a student from school for the following types of conduct if it is satisfied that the interests of the school demands it:

1. repeated refusal or neglect to obey school or Board rules;
2. engaging in conduct which endangers the property, health or safety of others at school or under the supervision of a school authority;
3. knowingly conveying any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy any school property by means of explosives;
4. engaging in conduct while not at school or while not under the supervision of a school authority which endangered the property, health or safety of any employee or Board Member of the District; or
5. repeatedly engaging in conduct while at school or while under the supervision of a school authority that disrupted the ability of school authorities to maintain order or an educational atmosphere at school or at an activity supervised by a school authority and such conduct does not constitute grounds for expulsion under (1) through (4) above. (This reason for expulsion only applies to students 16 years of age or older.)

The Board shall expel a student from school for engaging in conduct outlined in state law which requires the student's expulsion (e.g., possessing a firearm in violation of law and Board policy).

Student expulsion proceedings shall be conducted in accordance with state law and established District procedures. Any consideration of expulsion for an exceptional educational need student will conform with legal requirements.

The School District shall not discriminate in standards or rules of behavior or disciplinary measures, including suspensions and expulsions, on the basis of sex, race, national origin, religion, color, ancestry, creed, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability or handicap. Discrimination complaints shall be processed in accordance with established procedures.

ADOPTED:041696

REVISED:

REVIEWED:

LEGAL REFERENCE: Sections 118.13 and 120.13(1) Wis. Statutes

CONTRACT REFERENCE:

CROSS REFERENCE:

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SCHOOL DISTRICT OF WAUPACA

SERIES 400 STUDENTS

CODE: 446.2-R1

SUSPENSION GUIDELINES

1. Students may be suspended for up to five school days for the reasons outlined in state law and Board policy. A student may be suspended for up to 15 school days if notice of an expulsion hearing has been sent. Students with disabilities may not be suspended from school for longer than 10 school days, except as specifically authorized by law.
2. Before a student is suspended, the student shall be advised of the reason for the proposed suspension and if so desired, may confer with the principal and his/her parent(s)/guardian. The student may be suspended if it is determined that he/she is guilty of noncompliance with school or Board rules or the conduct charged and his/her suspension is reasonably justified.
3. The student's parent(s)/guardian shall be notified of the suspension by a personal conference or telephone call as promptly as possible. A written notice will be mailed to the parent(s)/guardian listing the reasons for the suspension at the time of the suspension.
4. The suspended student or his/her parent(s)/guardian may, within five school days following the commencement of the suspension, have a conference with the District Administrator or his/her designee, who shall be someone other than the principal or teacher in the suspended student's school. If the District Administrator, or his/her designee, finds that the student was suspended unfairly or unjustly, the suspension was inappropriate given the nature of the offense, or that the student suffered undue consequences or penalties as a result of the suspension, reference to the suspension on the student's school record shall be expunged. Such findings shall be made within 15 days of the conference.
5. Suspended students shall be given an opportunity to make up any examinations and other classwork missed during the suspension in accordance with the District's school attendance procedures. Students who are absent as a result of a suspension are considered "excused" absences.

ADOPTED: 041696

REVISED:111098/121217

REVIEWED:

LEGAL REFERENCE:

CONTRACT REFERENCE:

CROSS REFERENCE:

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SCHOOL DISTRICT OF WAUPACA

SERIES 400 STUDENTS

CODE: 446.2-R2

EXPULSION GUIDELINES

1. The Board may expel a student from school for the reasons outlined in state law and Board policy.
 - a. A student with a disability may not be expelled from school if the reason for the expulsion is related to his/her disability. Therefore, before a disabled student, or student suspected of having a disability, is considered for expulsion, he/she shall be referred to an IEP-Team for evaluation to determine whether the student's misconduct relates to his/her disability or to a possible inappropriate placement. Districts may order a change in placement to an appropriate alternative educational setting for up to 45 days for specified conduct related to drug, weapons, or bodily harm.
2. A written notice of expulsion hearing shall be sent to the student and, if the student is a minor, to his/her parent(s)/guardian at least five days prior to the scheduled hearing. The notice shall:
 - a. state the time, date and place of the hearing;
 - b. state specific charges brought against the student;
 - c. advise that the hearing may result in the student's expulsion from school; and
 - d. contain a verbatim copy of the expulsion law (section 120.13(1)(c) of the state statutes).
3. Hearing
 - a. The student and, if the student is a minor, his/her parent(s)/guardian may be represented at the hearing by counsel. The school district administration and the school board may also be represented by counsel at the hearing.
 - b. The student has the right to refuse to give self-incriminating testimony and to cross-examine witnesses or call witnesses on his/her own behalf. The student shall be specifically advised of these rights at the hearing. The student also has the right to determine if the hearing is to be open to the public or closed.
 - c. The Board shall keep written minutes of the hearing. The hearing may be tape recorded.
4. Deliberation and Decision
 - a. The Board will deliberate in closed session and only consider the evidence presented at the hearing. Only members of the Board of Education and their counsel shall be in attendance at the Deliberation session.
 - b. The Board shall issue its decision in the form of a written order. If expulsion is ordered, the order shall:
 1. state the length of time the student will be expelled;
 2. contain specific findings of fact and conclusions of law in support of the decision; and
 3. be sent to the student and, if the student is a minor, a copy of the order shall be sent to the student's parent(s)/guardian.

5. Appeal

- a. The expelled student or the parent(s)/guardian of a minor student may appeal the expulsion to the State Department of Public Instruction.
- b. An appeal from the decision of the State DPI may be taken within 30 days to the Circuit Court of the county in which the school is located.

ADOPTED:041696

REVISED: 111098/121217

REVIEWED:

LEGAL REFERENCE:

CONTRACT REFERENCE:

CROSS REFERENCE:

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SCHOOL DISTRICT OF WAUPACA

SERIES 400 STUDENTS

CODE: 446.2-R3

EXPULSION OPTIONS

Length of Expulsion

It is the policy of the School District of Waupaca to consider all aspects of a student's situation when determining the length of his/her expulsion. The primary consideration will be to provide a safe and healthful environment for those students and staff who choose to abide by school district policies and procedures. A secondary consideration will be the expelled student's educational future.

Permanent Expulsion

A student expelled on a permanent basis will have limited options available to continue his/her education.

1. Enroll in another school district on a tuition basis or by establishing residency in that district. However, a school district is not required to enroll a student during the term of his/her expulsion from another school district. SS. 120.13(1)
2. Enroll in a private school district at own expense.
3. Home-school with/without employing a tutor in an effort to work towards his/her General Equivalency Diploma or High School Equivalency Diploma.
4. Contact Fox Valley Technical College to discuss other options including GOAL Program to maintain skills and/or work towards HSED if at least 18 years old. Note: While it is FVTC's policy not to accept expelled students under the age of 18, they may be able to service expelled students under 18 on a limited basis and under certain conditions.

Permanently expelled students may apply for readmission and are entitled to a hearing at that time.

Limited Term Expulsion

A student expelled for a limited period of time is encouraged to maintain his/her studies through one or more of the options listed above. The main consideration in this situation would be progress towards graduation from WHS as opposed to an HSED or GED.

School District Policy Code 424 - **Transfer Student Admissions from Home Based Private or Private School Program** will be used to determine the appropriate placement of a student re-enrolling in the district.

Please note that it would be extremely difficult for a student who has been expelled for a period of time to maintain their class standing upon re-entry to school. Most students will be placed at the beginning of the semester in which they were expelled. Attendance at Summer School (if allowed under expulsion order) may provide an opportunity for an expelled student to advance in some areas.

Assistance from School District of Waupaca Personnel

School district personnel will be prohibited from providing assistance to expelled students during the regular school day. A staff member who chooses to tutor an expelled student will do so on their own time of their own free will.

Administration and/or guidance personnel will be available to answer questions related to this Policy and Policy Code 424 described above.

School District Resources

Resources such as supplies, library materials and textbooks currently in use by the School District will not be made available to students who have been expelled. However, textbooks and other materials no longer being used by the district may be made available at the district's discretion.

ADOPTED: 41696

REVISED: 121217

REVIEWED:

LEGAL REFERENCE:

CONTRACT REFERENCE:

CROSS REFERENCE:

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SCHOOL DISTRICT OF WAUPACA

SERIES 400 STUDENTS

CODE: 424

TRANSFER STUDENT ADMISSIONS FROM HOME BASED PRIVATE OR PRIVATE SCHOOL PROGRAM

The School District of Waupaca recognizes Home Based education and Private education as legal options under Wisconsin Statutes 118.15(4) and 118.165(1)(2). The following provisions set for the procedures for entry into the Waupaca Schools from a Home Based or Private School.

1. Placement Criteria

- a. Students entering the school district from a home-based private educational program or private school shall be required to provide any available academic information and may be required to take appropriate academic tests to assist in making a placement.
- b. Factors used to determine grade placement shall include, but not be limited to, the following:
 - i. number of months/years in home-based instruction
 - ii. score(s) on selected achievement test(s)
 - iii. chronological age
 - iv. social maturity
 - v. teacher/counselor observation

NOTE: Students with disabilities shall be referred for evaluation and mandated procedures followed.

2. Placement Recommendation

A school administrator or designee shall meet with the parents of the child, or the student if age 18 or older, and discuss the placement recommendation with them. The placement recommendation will be in writing and a copy placed in the student's records.

3. Transcripts and Grades, and Credits

- a. Courses taken while in a home-based private school program will be recorded on the student's permanent record card and/or high school transcripts with a notation that they were taught as part of a home-based instructional program, but grades will not be listed for any of those courses. Grades and grade point average from home-based instruction will not be used for determining class rankings. However, the school principal may, at his/her discretion and based on the academic rigor as determined by the curriculum and any other records deemed necessary, determine which credits may be applied towards graduation requirements.
- b. Courses taken while in a private school program will be recorded on the student's permanent record card and/or high school transcripts with a notation that they were taught as part of a private school instructional program. Grades and grade point average from private school programs may be used for determining class rankings. The school principal may, at his/her discretion and based on the academic rigor as

determined by the curriculum and any other records deemed necessary, determine which grades will be used for determining class ranking and which credits may be applied toward graduation requirements.

4. Probationary Period and Appeals

- a. Each student placed in the Waupaca School District from a home-based private or private school program will have a forty-five (45) school day probationary period during which time the student will be expected to achieve academically at a satisfactory level and demonstrate appropriate social and educational interaction with his/her peers. If at the end of this period, the school officials determine the placement needs to be revised, the principal shall make a placement revision recommendation within fifteen (15) school days of the end of the probationary period. The revision placement will utilize the procedure in regulation (2) Placement Recommendation.
- b. In the event that there is an appeal on behalf of the student regarding the placement of the child, a written appeal may be made to the Waupaca School Board within ten (10) days of the placement decision. The decision of the School Board will be final.

5. High School Diploma

- a. A Waupaca High School diploma shall not be given to students from a home-based school who have not met the graduation requirements and who have not attended Waupaca High School for a minimum of four (4) full semesters, one of which must be the final or eighth semester.
- b. A student transferring from a private school program is eligible for a diploma from Waupaca High School only if s/he has enrolled on or on or before the first day (as shown on the school calendar) of school of the senior year and is in attendance as a full-time student for both semesters of the senior year prior to graduation.

ADOPTED:110894

REVISED:121394, 111098

REVIEWED:

LEGAL REFERENCE:

CONTRACT REFERENCE:

CROSS REFERENCE:

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APPENDIX 7

SCHOOL DISTRICT OF WAUPACA

SERIES 500 PERSONNEL

CODE: 511

EQUAL EMPLOYMENT OPPORTUNITIES AND NONDISCRIMINATION

The District is committed to equal employment opportunity in its personnel practices. The School Board's goal, intent, and specific directive is that the District shall maintain policies, practices, and a workplace environment that are free from all unlawful discrimination, harassment and retaliation. Accordingly, recruitment, hiring, and all personnel administration (e.g., training, assignments, compensation, evaluation, and discipline) shall be conducted so as not to illegally discriminate against any applicant or employee on the basis of age, race, religion, sex, sexual orientation, disability, citizenship, marital status, pregnancy, national origin, creed, color, political or religious affiliation, ancestry, arrest or conviction record, military service, use or nonuse of a lawful product off school premises during nonworking hours, declining to attend a meeting or to participate in any communication about religious matters or political matters, the authorized use of family or medical leave or worker's compensation benefits, genetic information, or any other reason prohibited by applicable law. Specific state and federal laws and regulations further define the actions that do, or do not constitute unlawful discrimination, harassment or retaliation with respect to the various protected classes.

To the extent required by law, reasonable accommodations that do not impose an undue hardship shall be made for qualified individuals with a disability. Such accommodations may be used to enable a qualified applicant or employee with a disability to perform the essential functions of a position or to enjoy the same benefits and privileges as those enjoyed by applicants or employees without disabilities. The District shall also accommodate the religious practices of an employee to the extent required by law. Applicants or employees desiring an accommodation should submit a request to their immediate supervisor or to the Equal Employment Opportunity Officer.

Complaints. Complaints regarding possible employment discrimination or the interpretation or application of this policy may be submitted to the District's designated Equal Employment Opportunity Officer, as further described in the complaint procedures established under this policy. The Board encourages attempts to resolve complaints informally.

Designation of an Equal Employment Opportunity Officer. The staff member holding the following position shall serve as the District's designated Equal Employment Opportunity Officer (EEO Officer):

Director of Student Service
515 School Street
Waupaca, WI, 54981
715.258.4121

In his/her capacity as the District's EEO Officer, the designated individual also serves as the District's Title IX Coordinator and Section 504/Americans with Disabilities Act (ADA) Coordinator for employment-related matters. Title IX is federal legislation that prohibits discrimination on the basis of sex in education programs, including employment within education programs. Section 504 and the ADA address the rights of individuals with disabilities. The EEO Officer shall have primary responsibility for coordinating the District's efforts to implement this policy and adhere to applicable nondiscrimination laws and regulations, including investigating and responding to any complaint or report alleging noncompliance with, or acts in violation of, such laws and regulations, including as examples the following:

- Title VI and Title VII of the federal Civil Rights Act (as amended)
- Title IX of the federal Education Amendments of 1972 (as amended)
- The federal Americans with Disabilities Act (as amended)
- Section 504 of the federal Rehabilitation Act of 1973 (as amended)
- The federal Age Discrimination in Employment Act (as amended)

- The federal Genetic Information Nondiscrimination Act (as amended)
- The Wisconsin Fair Employment Act (as amended)
- Sections 118.195 and 118.20 of the Wisconsin Statutes

The Business Manager shall perform the duties of the EEO Officer if the EEO Officer is temporarily unavailable or if a complaint involves any alleged improper conduct by the EEO Officer.

Employee Reporting Responsibilities. All employees are responsible for reporting violations of this policy. An employee who believes he/she has been subjected to unlawful discrimination by anyone, including supervisors, co-workers, students, or Board members, is expected to promptly report the behavior to an administrator or supervisor. Such reports may always be submitted to the District’s Equal Employment Opportunity Officer, and an employee may also choose to use the District’s employment discrimination and harassment complaint procedures. Any employee who is aware of a discriminatory policy, practice, or incident in the workplace is likewise expected to report it, even when that employee is not a direct victim/target. All reports and complaints of possible employment-related discrimination shall be taken seriously, promptly and thoroughly investigated, and responded to as appropriate.

Confidentiality. Although absolute confidentiality and anonymity cannot be assured, the District will maintain the confidentiality of reports and complaints under this policy to the extent required by any applicable law, and the District will otherwise make efforts to maintain confidentiality where non-disclosure does not interfere with the District’s ability to appropriately process and respond to the report or complaint. Individuals who have specific concerns about confidentiality in connection with any report, complaint, or investigation should arrange to discuss those concerns with the District as early as possible in the process.

Retaliation Prohibited. No one shall attempt to restrain, interfere with, coerce, or take retaliatory action against a complainant, witness, or other person who is participating in the presentation, processing, or resolution of a complaint, report, or concern regarding employment-related discrimination.

Consequences for Violations. Any person who is responsible for any form of employment-related discrimination or any act of retaliation in violation of this policy is subject to disciplinary action, up to and including discharge from employment. Additional consequences may include other adverse or remedial actions within the District’s scope of authority and/or referral to law enforcement officials for possible legal action. In addition, supervisory employees who fail to reasonably respond to discrimination complaints or reports or to reasonably act on their knowledge of a violation of this policy will likewise be subject to disciplinary action.

Information and Notices. Staff shall be informed of this policy and the related complaint procedures via the District’s Employee Handbook. This policy and the related complaint procedures shall be posted on the District website. Additional notice of employee rights under this policy shall be given in accordance with any requirements of state or federal law (e.g., via the posting of signs/posters in the workplace).

ADOPTED: 121476

REVISED: 011084/090892/091295/080817

REVIEWED:

LEGAL REFERENCE:

Wisconsin Statutes

Section 111.31 [declaration of fair employment policy]

Section 111.321 [prohibited basis for discrimination]

Section 111.322 [discriminatory actions prohibited]

Section 118.195 [discrimination against handicapped teachers]

Section 118.20 [teacher/administrator discrimination prohibited]

Federal Laws and Regulations

Title IX, Education Amendments of 1972 [sex discrimination in employment in educational programs]
Title VII of the Civil Rights Act of 1964 [employment discrimination based on race, color, religion, sex and national origin]
Section 504 of the Rehabilitation Act of 1973 [employment discrimination based on handicap; reasonable accommodations]
Age Discrimination Act of 1967 [age discrimination in employment]
Pregnancy Discrimination Act [pregnancy discrimination in employment]
Americans with Disabilities Act of 1990 [disability discrimination in employment; reasonable accommodations]
Genetic Information Nondiscrimination Act of 2008 [employment discrimination based on genetic information]
Immigration and Nationality Act (Title II, Chapter 8, Act 274B) [employment discrimination based on national origin and citizenship status]
Uniformed Services Employment and Reemployment Rights Act (USERRA) [employment discrimination on the basis of military service]
11 U.S.C. §525 [employment discrimination based on certain bankruptcy-related statuses and proceedings]

CONTRACT REFERENCE:

CROSS REFERENCE:

School District of Waupaca is an Equal Opportunity Employer

APPENDIX 8

Legislative Fiscal Bureau summary of statutes in chapters 115-121 that apply to charter schools

State statute 118.40(7)(b) provides that, "except as otherwise explicitly provided, chs. 115 to 121 do not apply to charter schools."

The Wisconsin Legislative Fiscal Bureau provided this summary in the January 2017 document titled, *Charter Schools - Informational Paper 27*, pages 7-8:

Charter School Requirements.

Charter schools are subject to all federal laws governing education, including the Elementary and Secondary Education Act and the Individuals with Disabilities Education Act. Unless specified in statute, charter schools are not subject to the provisions of Chapters 115 through 121 of the Wisconsin Statutes, which are generally the provisions that govern K-12 education. Charter schools are required to:

- a. Administer state standardized pupil assessments, including the civics assessment required for high school graduation, to pupils in the required grade levels.
- b. Adopt pupil academic standards in mathematics, science, reading and writing, geography, and history.
- c. Develop and enforce a policy specifying criteria for promoting a pupil from 4th grade to 5th grade, from 8th grade to 9th grade, and for granting a high school diploma. A charter school cannot promote a pupil from 4th to 5th grade or from 8th grade to 9th grade unless the pupil satisfies the promotion criteria, and cannot grant a high school diploma unless the pupil has satisfied these criteria.
- d. Be included in a school district's annual school performance report, DPI school accountability reports, and the statewide student information system.
- e. Participate in the DPI educator effectiveness evaluation system or an alternative process in accordance with DPI administrative rule.
- f. Assess pupils in pupils enrolled in four-year-old kindergarten through second grade for reading readiness.
- g. Provide to the parent of each enrolled pupil a list of the educational options available to children who reside in the pupil's resident school district.
- h. Ensure that all of the school's instructional staff hold a license or permit to teach issued by DPI.

The Department has promulgated an administrative rule defining "instructional staff" to mean all professional employees who have direct contact with students or with the instructional program of the school, including teachers, librarians, pupil services staff and administrative staff who supervise licensed staff.

In addition, DPI has established, by rule, a charter school instructional staff license. This license may be issued to an individual who holds a valid Wisconsin teaching license issued by DPI, and authorizes that individual to teach any grade or any subject outside his or her teaching license in a non-virtual charter school. An individual assigned to teach a core academic subject in a non-virtual charter school must verify that he or she has done one of the following: (a) completed a major or minor from a regionally-accredited institution in the assigned core academic subject; (b) passed a content knowledge exam prescribed by DPI in the core academic subject; or (c) demonstrated knowledge and competence in the

assigned core academic subject based on an assessment process approved by DPI. An individual assigned to teach a subject that is not considered a core academic subject is eligible for this license without verification of those criteria. A charter school instructional staff license has the same term as the applicant's valid initial or professional teaching license. The license term for those holding a master educator or life license may not exceed five years.

A one-year charter school instructional staff license may be issued to an applicant who holds a valid teaching license but has not demonstrated content knowledge in a core academic subject area. The license may be issued for any assigned grade level and any assigned subject in a non-virtual charter school. To receive this one-year license, a district administrator or designated official of the employing school district or charter school must request a license on behalf of the applicant following a search for a qualified, licensed individual. This license is renewable for one-year periods if the applicant is making adequate progress toward eligibility for the charter school instructional staff license with verification that he or she has earned six semester credits each licensure term toward a content minor in his or her assigned teaching area until such time that one of the three criteria listed above for the license has been completed.

Under 2013 Act 20, DPI is required to grant a three-year charter school teaching license to any person who has a bachelor's degree and demonstrates, based upon criteria established by DPI, that the person is proficient in the subjects that he or she intends to teach. The license authorizes the person to teach those subjects in a charter school, and is valid for three years and renewable for three-year periods. Under DPI rule, an applicant must demonstrate proficiency by verifying, for their assigned academic subjects, one of three criteria listed above for the charter school instructional staff license.

Pupil Rights. No pupil may be required to attend a charter school without the approval of his or her parents or legal guardian, or the pupil's approval if the pupil is an adult.

Transportation. Charter schools are not required, under current law, to provide transportation for their pupils. Similarly, the law does not specifically include charter pupils among the pupils that school districts are required to transport. However, if the parties agree, then the contract between a charter school and school board or an independent charter school authorizer may provide for the transportation of charter school pupils.